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Viewing cable 09MEXICO3093, SCENESETTER FOR SEPARATE MERIDA-RELATED VISITS:

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Reference ID	Created	Released	Classification	Origin
09MEXICO3093	2009-10-27 22:38	2011-08-30 01:44	CONFIDENTIAL	Embassy Mexico

Appears in these articles:

<http://wikileaks.jornada.com.mx/notas/para-calderon-las-violaciones-a-los-derechos-son-un-precio-a-pagar-informo-la-embajada>

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RR RUEHCD RUEHGD RUEHHO RUEHMC RUEHNG RUEHNL RUEHRD RUEHRS RUEHTM
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R 272238Z OCT 09
FM AMEMBASSY MEXICO
TO RUEHC/SECSTATE WASHDC 8786
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE
RHMFIISS/DEPT OF JUSTICE WASHINGTON DC
RUEHC/DEPT OF LABOR WASHINGTON DC
RUEATRS/DEPT OF TREASURY WASHINGTON DC
RUCPDOC/DEPT OF COMMERCE WASHINGTON DC
RHMFIISS/CDR USSOUTHCOM MIAMI FL
RHMFIISS/HQS USNORTHCOM
RUEAHLA/DEPT OF HOMELAND SECURITY
RUEABND/DEA HQS WASHINGTON DC
RHEHAAA/NSC WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 04 MEXICO 003093

SENSITIVE
SIPDIS

E.O. 12958: DECL: 07/24/2019

TAGS: [PREL](#) [PGOV](#) [PINR](#) [MX](#)

SUBJECT: SCENESETTER FOR SEPARATE MERIDA-RELATED VISITS:

REF: A. MEXICO 2463
B. 08 MEXICO 3595

Classified By: Ambassador Carlos Pascual.
Reason: 1.4 (b),(d).

¶11. (C) Summary. The upcoming visits of Secretary for Public Security (SSP) Genaro Garcia Luna and Attorney General (PGR) Arturo Chavez Chavez to Washington come at a key moment in our bilateral security relationship. We have made great progress on expanding security ties working through the Merida Initiative; now we need to broaden the scope of our efforts to support their lasting impact. Garcia Luna and Chavez, primary players in Mexico's security apparatus, will be key players in moving our law enforcement agenda to new levels of practical cooperation in two of the country's most important institutions. Washington interlocutors should encourage them to cooperate more effectively on issues ranging from crime prevention to detention to prosecution and conviction. End Summary.

Working With New Merida Architecture

¶12. (C) We have made great progress on expanding our bilateral security and law enforcement relationship through the Merida Initiative. The first phase of Merida focused heavily on supporting Mexico's efforts to confront drug trafficking organizations. As we look beyond Merida and begin to implement a new architecture, we recognize the limitations on confronting criminal groups without the effective institutional backing to support the lasting disruption of these elements. We must help Mexico build its key institutions with seamless integration of intelligence, investigations, operations, prosecutions, and convictions. We also need to develop new programs to build an intelligence capability, foster the Federal Police's own institutional development and training capacity, promote swifter implementation of judicial reform, and prompt greater inter-institutional coordination and cooperation. Moreover, with many of our federal programs well underway, we should broaden our focus to include work at the state level.

¶13. (C) We need to be clear with both officials on critical next steps: with Garcia Luna on the need to move forward in creating a joint operational capability that will allow Mexico to operationalize the critical intelligence we can provide. With AG Chavez, we must stress the need to implement constitutional legal reforms and address long-standing human rights concerns. Earlier this week, President Calderon ordered Garcia Luna and his Defense Secretary (SEDENA) counterpart, General Galvan, to establish immediately a joint strike force, a key step forward that will test the ability of often competing operational arms to work together and allow Mexico to operationalize, in real time, critical intelligence that we can provide. Calderon's decision is well-timed, and we should press Calderon's "top cop" on his plans for moving forward on the force, as well as explore how we can help with exercises and advice. On the human rights front, there are signs that Calderon and especially SEDENA consider violations a "price to pay" and will not push for the kind of judicial guarantees (e.g., effective oversight by civilian courts on allegations of violations by the military) and effective training (e.g. of senior level and operational units) that are critically needed to improve Mexico's record. Again, we should press Chavez on concrete steps on the human rights front. Chavez also needs to hear that we remain engaged on the Brad Will case and hope the PGR will move quickly to resolve lingering issues concerning the prosecution of the alleged perpetrators (ref a and b).

SSP and PGR's Progress and Promise

¶14. (C) SSP and PGR are key players in this new framework and

are willing partners as we move forward. Both are critical components of two objectives -- disrupt capacity of organized crime to operate and institutionalize capacity to sustain rule of law -- with SSP also engaged on creating a 21st century border and PGR crucial to building strong and resilient communities. Fortunately, the United States and Mexico have already laid some of the groundwork to serve as a base for collaborative institution building. We have a strong program for internal controls and vetting of personnel in special units that includes a polygraph program at the federal level and are increasingly engaged on supporting judicial reform efforts. The most successful capacity building program to date has been the recently completed training of 1,500 new Federal Police investigators who will take on the core role of directly dismantling the cartels and extending the presence of the federal police in all of Mexico's states.

¶5. (C) SSP and PGR have made great strides toward modernizing and improving their institutions. Garcia Luna's SSP and its 32,000 strong Federal Police (with plans for an additional 8,000 to be trained and operational shortly, according to the Secretary), have sought to raise the standards of the Federal Police through improved hiring, training, and vetting practices. With new authorities granted under federal police reform legislation passed earlier this year, including a broadened wire-tapping mandate, the SSP is well-placed to significantly expand its investigative and intelligence-collection capabilities. SSP is also the caretaker of one of the GOM's flagship projects, Plataforma Mexico, a major criminal database intended to provide easy access by security officials across the country to various kinds of criminal information collected by different law enforcement entities. With the bulk of the law enforcement budget, the largest single policing force, and new powers, the SSP is transitioning to become the major player on internal security matters.

¶6. (C) Recently appointed Attorney General Arturo Chavez Chavez inherits a PGR somewhat improved under his predecessor, Eduardo Medina Mora's, stewardship. Medina Mora took unprecedented steps to fight corruption within PGR, the police, and local governments, even when such efforts led to the arrest of several embarrassingly high-ranking officials. Mexico also made record cash and cocaine seizures during his tenure, and he also achieved a ban on the importation of pseudoephedrine and ephedrine, the drug used to manufacture methamphetamine, into Mexico. PGR is looking to modernize as an institution and has created the Constanza Project (Justicial Para Todos), a \$200 million dollar initiative designed to transform PGR's culture in part by promoting transparency, training attorneys to build stronger cases, and digitizing files in order to incorporate a paperless system less susceptible to corruption. Assuming Chavez's continued backing, the program, which includes Merida Initiative support, may be operational by next year. Medina Mora was also directly involved in taking our extradition relationship to new heights. In meetings with the Ambassador, Chavez has pledged to continue this important cooperation. Washington policymakers should recognize and encourage this excellent extradition relationship.

Challenges Still to Address

¶7. (C) Nevertheless, we face along with Mexico significant challenges -- political, institutional, and even personality-driven -- to achieving the kind of lasting change that will allow for the country's continued success against organized criminal groups. Levels of violence show no signs of decreasing, with organized crime-related homicides and casualties suffered by security forces in the counterdrug fight likely to surpass 2008's record figures. Allegations of human rights abuses by soldiers and police officers deployed on counterdrug missions threaten to undermine continued public support. While there is general support for and consensus on President Calderon's frontal assault strategy, the new political environment following the July 5

midterm elections, in which his rivals made significant gains, has emboldened his opponents.

18. (C) Moreover, the GOM must oversee a cultural shift in institutions at both the federal and local level that rewards information sharing and collaboration on joint operations. PGR and SSP are amongst the greatest offenders when it comes to jealously guarding information and resources. Garcia Luna, widely understood as closest to President Calderon on security issues, is not broadly trusted among other GOM institutions, and has been a target of attack by opposing political parties for lack of progress on violence reduction.

Furthermore, the personal animosity between him and former Attorney General Medina Mora did little to help bridge the historic gap between the institutions. He and General Galvan are distant collaborators at best; more often, they are open competitors. New AG Chavez may be able to better manage the relationship, but he almost certainly will also confront a Garcia Luna keen on expanding SSP's role with the influence and resources to do it.

19. (C) It is not yet clear whether or not Chavez's appointment, which was beset by allegations of incompetence and lack of attention to human rights issues while Attorney General of Chihuahua State, will in fact lead to a weaker PGR and a freer hand for Garcia Luna. The new federal police legislation granting the Federal Police greater investigative and intelligence authorities has the potential to exacerbate tensions. The law is vague on when the federal police -- nominally a purely 'preventative force' -- should turn over its investigation to the PGR for prosecution. The Federal Police's ability to bypass PGR and request its own wiretap warrants -- and to conduct more wiretaps itself -- may reduce its incentive to work with PGR prosecutors and investigators.

110. (C) Mistrust between government institutions and between federal, state, and the (often highly corrupt) municipal security services also complicates the much needed process of decentralizing security efforts. Security operators in the field need the authority to act quickly and with greater agility when necessary without having to rely on Mexico City for guidance or support. This requires fostering trust both within institutions -- who often see state outposts as corrupt -- and between them. Moreover, we have seen in Ciudad Juarez what happens when federal entities try to accomplish their mission alone. Without locally-based intelligence sources, SEDENA and SSP operations led and conducted from a centralized and compartmentalized command structure in Mexico City often result in blunt force confrontations with cartels that augment the brutal violence statistics in Juarez. The GOM is wary of devolving resources and information to the state level, but there is a growing and clear understanding of the key role states play in security in Mexico, and an understanding among many officials that without good state institutions, the federal government has nowhere to land when it deploys.

Human Rights

111. (C) We should continue to address the sensitive topics of human rights and the importance of maintaining high vetting standards. Human rights remains a particularly thorny topic for the Mexican security forces. Dialogue emphasizing efforts to train the military -- and all law enforcement agencies -- on human rights, as well as encouraging transparency in cases of abuse, will play an important role in our efforts here. The Ambassador has undertaken aggressive outreach to the human rights community, establishing his own dialogue with numerous groups and plugging the Mission into the SRE-SEGOB dialogue. We should take steps to encourage PGR to more efficiently and rapidly prosecute HR cases, as detainees often languish in prison without being sentenced for lengthy periods of time. We also must encourage greater dialogue with civil society, in which PGR will play a major role. A number of mid to senior level PGR and SSP officials have not passed vetting or polygraph

tests, and over a quarter of the 60 individuals selected for the senior-level SSP training course did not pass their exams. We expect this to be an increasingly difficult and politically sensitive topic as we move forward with larger numbers of program participants, but this is a good time to indicate our continued commitment to maintaining high standards on integrity issues.

Implementation

¶12. (C) Finally, the speed of implementation of Merida programs is improving but still slow, due to delays in moving money between USG agencies, a sluggish contracting process, and the highly complex nature of the projects at hand. The GOM remains suspicious of anything that smacks of conditionality, and is at times reluctant to make changes it sees as USG-mandated. Nevertheless, we have made a strong start. Implementation is well underway, and a developed bilateral framework -- and funding -- is in place to guide future program efforts. Through this, strong government to government planning and execution will afford us continued successes.

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